



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET, N.W.
WASHINGTON, D.C. 20554

News media information (202) 418-0500. Recorded listing of releases and texts (202) 418-2222.

DA 97-16
January 6, 1997

AUCTION OF CELLULAR UNSERVED AREA LICENSES (Auction No. 12)

Qualified Bidders and Bidding Instructions

Report No. AUC-96-12-D (Auction No. 12)

This public notice identifies applicants who have been found qualified to bid in the auction for certain cellular unserved area licenses, Auction No. 12, which is scheduled to begin on Monday, January 13, 1997. This Notice also provides bidding instructions and other important information regarding the auction.

Qualified Bidders. Both Attachments A and B list each qualified bidder. Attachment A also lists each qualified bidder's maximum bidding eligibility, determined by its upfront payment. Attachment B also lists the licenses indicated on each qualified bidder's short-form application (FCC Form 175). To qualify as a bidder, an applicant was required to file a timely and acceptable short-form application, as well as a timely upfront payment sufficient to allow it to bid on at least one license for which it applied.

On Attachment A, the letter S indicates an applicant has filed a settlement agreement for a market included in this auction. These listings do not indicate acceptance or rejection of the settlement agreement(s).

LICENSES WITHDRAWN FROM AUCTION

No Mutual Exclusivity. The Commission has received either only one application or no applications for each of the licenses listed in Attachment C. The Commission is authorized only to auction mutually exclusive initial applications. The Commission has stated that if there is no mutual exclusivity for a particular frequency block, the Wireless Telecommunications Bureau ("Bureau") will cancel the auction for that license. Sole Phase I applicants are required to file a long-form application

(FCC Form 600) "Application for Mobile Radio Service Authorization," by a date to be established by the Bureau. Sole Phase II applicants are not required to file another long-form application, since one is already on file. See Implementation of Section 309(j) of the Communications Act - Competitive Bidding, *Ninth Report and Order*, PP Docket No. 93-253, 61 FR 58,333, ¶ 27 (1996). The Bureau will release a subsequent public notice regarding the filing of long-form applications and the status of the unserved areas for which the Commission received no applications.

Refund of Upfront Payments. Any applicant who applied for a license being withdrawn from Auction No. 12 that is not qualified to bid for any other license in the auction may seek a refund of its upfront payment. Written requests for wire transfer refunds should be transmitted by facsimile to Billings and Collections Branch, Federal Communications Commission, ATTN: Regina Dorsey or Linwood Jenkins. The fax number is (202) 418-2843. Written requests should include the following information: Taxpayer identification number, FCC Account Number, wire transfer information, and the amount of the upfront payment to be refunded.

BIDDING PROCEDURES

In order to participate effectively in the auction, qualified bidders should re-familiarize themselves with the auction rules and other information contained in the Public Notice "FCC Issues Procedures, Terms and Conditions for January 13, 1997 Auction of Cellular Unserved Phase I and Phase II Service Areas," DA 96-1850. The following information provides additional guidance:

Registration. Qualified bidders have been automatically registered for the auction. For security reasons, the Commission will confirm registration by two separate mailings of registration materials, both sent to the contact person at the address identified in the bidder's FCC Form 175. The two mailings will include the bidder's identification number, login name, login password and the telephone number for telephonic bidding. Additional information will be included in both mailings, including remote bidding system software and other general information. Upon receipt of both mailings, each bidder should be in possession of the following information:

- FCC Account Number (self-assigned on the FCC Form 175, and listed on Attachment A)
- Bidder identification number (supplied by FCC mailing)
- Login name (supplied by FCC mailing)
- Login password (supplied by FCC mailing)
- Telephone number for telephonic bidding (supplied by FCC mailing)
- Remote bidding system software (if ordered)

Any applicant listed as a qualified bidder in Attachment A to this Public Notice who has not received both registration mailings by noon, Thursday, January 9, 1997, should contact the FCC at 800-322-1117. It is each applicant's responsibility to ensure that all registration information has been received.

Lost login names, login passwords and bidder identification numbers can be replaced only at the FCC Auction Headquarters, located at 2 Massachusetts Avenue, N.E., Washington, D.C. If replacement is necessary, either an authorized representative or the certifying official (as designated on the applicant's FCC Form 175) must appear in person with two forms of identification, one of which must be a photo identification.

Electronic Bidding. Each qualified bidder that wishes to bid electronically must purchase electronic bidding software. Bidders may duplicate the software for backup or for use by authorized representatives at different locations. However, the FCC Remote Bidding System will not accept electronic bids from qualified bidders who are not registered purchasers of the bidding software. The deadline for ordering software in time for delivery before the auction begins has already passed, but late orders will still be accepted. An order form is included in Attachment E of the Public Notice "FCC Issues Procedures, Terms and Conditions for January 13, 1997 Auction of Cellular Unserved Phase I and Phase II Service Areas," DA 96-1850.

The FCC Remote Bidding System requires access to a 900 telephone line. Bidders should verify in advance that the telephone systems they will be using to submit electronic bids permit access to 900 telephone numbers, and should consult their telephone administrators if they need assistance.

Mock Auction. The FCC will conduct a mock electronic auction on Thursday, January 9, 1997 to allow bidders to familiarize themselves with the electronic bidding software and process. This mock auction will be open only to qualified bidders who are eligible to bid electronically as a result of submitting their FCC Form 175 short-form application electronically. Pre-registration will not be required. Further information regarding the mock auction is available in the Public Notice "Auction of Cellular Unserved Area Licenses -- Mock Auction Scheduled for January 9, 1997," DA 97-11.

Bidding Schedule. Three rounds of bidding will be conducted on the first day of the auction. Six rounds of bidding per day will be conducted from Tuesday, January 14 through Friday, January 17. The schedule for Monday, January 13th will be as follows:

Bid Submission Period	9:00	-	10:00 a.m. EST
Submission Round Results	10:00	-	10:30 a.m. EST
Bid Withdrawal Period	10:30	-	10:45 a.m. EST
Withdrawal Round Results	10:45	-	11:05 a.m. EST
Bid Submission Period	12:30	-	1:30 p.m. EST
Submission Round Results	1:30	-	2:00 p.m. EST
Bid Withdrawal Period	2:00	-	2:15 p.m. EST
Withdrawal Round Results	2:15	-	2:35 p.m. EST
Bid Submission Period	3:00	-	4:00 p.m. EST
Submission Round Results	4:00	-	4:30 p.m. EST

Bid Withdrawal Period	4:30	-	4:45 p.m. EST
Withdrawal Round Results	4:45	-	5:05 p.m. EST

The schedule for Tuesday, January 14 through Friday, January 17 will be:

Bid Submission Period	9:15	-	9:35 a.m. EST
Submission Round Results	9:35	-	9:55 a.m. EST
Bid Withdrawal Period	9:55	-	10:05 a.m. EST
Withdrawal Round Results	10:05	-	10:20 a.m. EST

Bid Submission Period	10:45	-	11:05 a.m. EST
Submission Round Results	11:05	-	11:25 a.m. EST
Bid Withdrawal Period	11:25	-	11:35 a.m. EST
Withdrawal Round Results	11:35	-	11:50 a.m. EST

Bid Submission Period	12:15	-	12:35 p.m. EST
Submission Round Results	12:35	-	12:55 p.m. EST
Bid Withdrawal Period	12:55	-	1:05 p.m. EST
Withdrawal Round Results	1:05	-	1:20 p.m. EST

Bid Submission Period	2:30	-	2:50 p.m. EST
Submission Round Results	2:50	-	3:10 p.m. EST
Bid Withdrawal Period	3:10	-	3:20 p.m. EST
Withdrawal Round Results	3:20	-	3:35 p.m. EST

Bid Submission Period	4:00	-	4:20 p.m. EST
Submission Round Results	4:20	-	4:40 p.m. EST
Bid Withdrawal Period	4:40	-	4:50 p.m. EST
Withdrawal Round Results	4:50	-	5:05 p.m. EST

Bid Submission Period	5:30	-	5:50 p.m. EST
Submission Round Results	5:50	-	6:10 p.m. EST
Bid Withdrawal Period	6:10	-	6:20 p.m. EST
Withdrawal Round Results	6:20	-	6:35 p.m. EST

The FCC will set the pace of the auction based upon its monitoring of the bidding and its assessment of the auction's progress. Generally, at the end of each week of the auction, the FCC will announce the bidding schedule for the following week.

NOTE: There will be no bidding on January 20, 1997.

Auction Stages. The FCC will also give ample notice of stage transitions, which increase the minimum required activity levels. Bidders who are inattentive to these stage transitions may inadvertently lose either activity rule waivers or, if waivers are exhausted, bidding eligibility.

Changes in Activity Rule. The minimum activity levels for the first two stages of this auction will be somewhat higher than previously announced, as follows:

Stage One: In each round of the first stage of the auction, a bidder that wishes to maintain its current eligibility is required to be active on licenses encompassing at least 80 percent of its current bidding eligibility. Failure to maintain the requisite activity level will result in a reduction in the bidder's bidding eligibility in the next round of bidding (unless an activity rule waiver is used). During Stage One, reduced eligibility for the next round will be calculated by multiplying the current round activity by five-fourths ($5/4$).

Stage Two: In each round of the second stage, a bidder that wishes to maintain its current eligibility is required to be active on 90 percent of its current bidding eligibility. During Stage Two, reduced eligibility for the next round will be calculated by multiplying the current round activity by ten-ninths ($10/9$).

Stage Three: The minimum activity level for the third stage remains at the previously announced level. In each round of the third stage, a bidder that wished to maintain its current eligibility is required to be active on 98 percent of its current bidding eligibility. In this final stage, reduced eligibility for the next round will be calculated by multiplying the current round activity by fifty-fortyninths ($50/49$).

Messages and Announcements. The FCC will post pertinent auction information as messages and announcements on the FCC Remote Bidding System, on its Internet site and on its Bulletin Board System (BBS). Bidders should check for messages and announcements each time they enter the Remote Bidding System or call to place telephonic bids, and should read this information carefully.

Auction Tracking Tool. A software tool for tracking the progress of the auction will be made available to the public no later than Friday, January 10, 1997. The software will be available via the Internet (http://www.fcc.gov/wtb/pn_tool2.html) and the FCC Auctions Bulletin Board System.

The tracking tool is a Microsoft $\text{\textcircled{C}}$ Excel™ v5.0 Workbook, which runs on Microsoft Windows™ v3.1 and Windows for WorkGroups™ v3.11. With this auction tracking tool, bidders can import round results and analyze the bidding in the auction. Technical support for the tracking tool can be obtained at (202) 414-1250. Please review the information included with the tracking tool readme file thoroughly before calling technical support.

User Requirements. This software is not designed for novice computer users. To be used effectively, you must have extensive experience with:

* Microsoft Windows

and submit a letter briefly summarizing the changes to Kathleen O'Brien Ham with a courtesy copy to Lisa Minard, as described in the previous paragraph. In both cases, if an applicant amends an ownership exhibit, the applicant should not submit just the change, but should resubmit the entire exhibit.

- FCC -

FCC Cellular Unserved Auction
Qualified Bidders - Public Notice
Auction ID: 12

Attachment A

FCC Account #	Name	Upfront Payment	Maximum Eligibility (Bid - Units)	Settlement Filed
0521316781	AT&T Wireless Services Of Colorado, Inc.	\$5,000.00	\$5,000.00	
0503566308	Alan Erickson/Zeta Trust Partnership	\$5,000.00	\$5,000.00	
5407747106	Alison C. Pollard/Zeta Trust Partnership	\$5,000.00	\$5,000.00	
0841118724	Badlands Cellular of North Dakota Limited Partners	\$5,000.00	\$5,000.00	S
2058034684	Berry, Walter E. / Eta Trust Partnership	\$5,000.00	\$5,000.00	
0195443971	Christel Anderson/CHI Trust Partnership	\$5,000.00	\$5,000.00	
0911222427	Coconino Arizona RSA Limited Partnership	\$5,000.00	\$5,000.00	
9419565656	Constance L. Pollard/ETA Trust Partnership	\$5,000.00	\$5,000.00	
0232516399	Cumberland Cellular Partnership	\$5,000.00	\$5,000.00	
3178448846	Donald H. Pollard, Jr./ETA Trust Partnership	\$5,000.00	\$5,000.00	
9419569018	Donald H. Pollard, Sr./Zeta Trust Partnership	\$5,000.00	\$5,000.00	
9419569113	Donald H. Pollard, Sr./Zeta Trust Partnership	\$5,000.00	\$5,000.00	
0830198592	Dubois Telephone Exchange, Inc.	\$5,000.00	\$5,000.00	
0541616864	First Cellular of Maryland Inc.	\$5,000.00	\$5,000.00	
0224802472	Gary Ludi/Epsilon Trust Partnership	\$5,000.00	\$5,000.00	
0222900883	METACOMM CELLULAR PARTNERS	\$10,000.00	\$10,000.00	
5407767653	Meredith P. Spruill/Iota Trust Partnership	\$5,000.00	\$5,000.00	
0841161886	N.E. Colorado Cellular, Inc.	\$15,000.00	\$15,000.00	
0391680703	Oregon RSA #3 Limited Partnership	\$5,000.00	\$5,000.00	
0503746422	Phyllis Hart/Eta trust Partnership	\$5,000.00	\$5,000.00	
0931221058	Port Services Company	\$5,000.00	\$5,000.00	
0521564931	Roy Burley/Epsilon Trust Partnership	\$5,000.00	\$5,000.00	
3132612871	SHAILESH PATEL/THETA TRUST PARTNERSHIP	\$5,000.00	\$5,000.00	
0275402046	TED M. PETERS/EPSILON TRUST PARTNERSHIP	\$5,000.00	\$5,000.00	
0363717988	Texas #20 Rural Cellular, Inc.	\$5,000.00	\$5,000.00	S
0261549375	Thomas Hagar/Alpha Trust Partnership	\$5,000.00	\$5,000.00	
0943167064	Triad Cellular L.P.	\$5,000.00	\$5,000.00	
0911686827	Western Wireless Corporation	\$50,000.00	\$50,000.00	S
5407748129	William E. Spruill, Jr./Theta Trust Partnership	\$5,000.00	\$5,000.00	
0841120933	Wyoming 1 - Park Limited Partnership	\$5,000.00	\$5,000.00	

FCC Cellular Unserved Auction
Qualified Bidders - Public Notice
Auction ID: 12

Attachment B

FCC Account #	Name	License(s)
0521316781	AT&T Wireless Services Of Colorado, Inc.	R352-A
0503566308	Alan Erickson/Zeta Trust Partnership	R386-A
5407747106	Alison C. Pollard/Zeta Trust Partnership	R393-B
0841118724	Badlands Cellular of North Dakota Limited Partners	R634-B
2058034684	Berry, Walter E. / Eta Trust Partnership	R553-B
0195443971	Christel Anderson/CHI Trust Partnership	R553-B
0911222427	Coconino Arizona RSA Limited Partnership	R319-B
9419565656	Constance L. Pollard/ETA Trust Partnership	R341-B
0232516399	Cumberland Cellular Partnership	M269-A
3178448846	Donald H. Pollard, Jr./ETA Trust Partnership	R546-A
9419569113	Donald H. Pollard, Sr./Zeta Trust Partnership	R607-B
9419569018	Donald H. Pollard, Sr./Zeta Trust Partnership	R677-B
0830198592	Dubois Telephone Exchange, Inc.	R720-A
0541616864	First Cellular of Maryland Inc.	M269-A
0224802472	Gary Ludi/Epsilon Trust Partnership	R341-B
0222900883	METACOMM CELLULAR PARTNERS	R530-A R718-A
5407767653	Meredith P. Spruill/Iota Trust Partnership	R319-B
0841161886	N.E. Colorado Cellular, Inc.	R352-A R534-A R540-A
0391680703	Oregon RSA #3 Limited Partnership	R608-B
0503746422	Phyllis Hart/Eta trust Partnership	R344-B
0931221058	Port Services Company	R608-B
0521564931	Roy Burley/Epsilon Trust Partnership	R553-B
3132612871	SHAILESH PATEL/THETA TRUST PARTNERSHIP	R554-A
0275402046	TED M. PETERS/EPSILON TRUST PARTNERSHIP	R386-A
0363717988	Texas #20 Rural Cellular, Inc.	R669-A
0261549375	Thomas Hagar/Alpha Trust Partnership	R386-A
0943167064	Triad Cellular L.P.	R554-A
0911686827	Western Wireless Corporation	R352-A R530-A R532-A R534-A R540-A R546-A R669-A R718-A R719-A R720-A
5407748129	William E. Spruill, Jr./Theta Trust Partnership	R336-B
0841120933	Wyoming 1 - Park Limited Partnership	R718-B

FCC Cellular Unserved Auction
Mutual Exclusivity - Upfront Payment
Auction ID: 12

Attachment C

Market	Freq Block	Number of Applicants	Applicant Name	FCC Account Number
R317	B	0		FCC999999
R323	A	0		FCC999999
R336	B	1	William E. Spruill, Jr./Theta Trust Partnership	5407748129
R344	B	1	Phyllis Hart/Eta trust Partnership	0503746422
R393	B	1	Alison C. Pollard/Zeta Trust Partnership	5407747106
R532	A	1	Western Wireless Corporation	0911686827
R607	B	1	Donald H. Pollard, Sr./Zeta Trust Partnership	9419569113
R634	B	1	Badlands Cellular of North Dakota Limited Partners	0841118724
R673	A	0		FCC999999
R677	B	1	Donald H. Pollard, Sr./Zeta Trust Partnership	9419569018
R718	B	1	Wyoming 1 - Park Limited Partnership	0841120933
R719	A	1	Western Wireless Corporation	0911686827